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ABSTRACT

This speech reports a study designed to gain an understanding of what selected individuals involved in education in California know about legislation designed to influence curriculum decisions that teachers make. A 22-item questionnaire was administered to 320 teachers, 14 superintendents, 30 board members in 21 school districts, and all members of the California legislature. The responses indicated that none of the four groups of decision makers possessed adequate knowledge of curriculum legislation. The ranking according to knowledge of legislation was (1) superintendents, (2) legislators, (3) board members, and (4) teachers. The author notes that the problem with the California legislature is that it makes too many instructional level decisions which should be made by teachers. Instead, the author contends, the legislature should concern itself with a few societal-level, value decisions which it can effectively enforce. (JF)

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CURRICULUM LEGISLATION AND DECISION-MAKING FOR THE INSTRUCTIONAL LEVEL

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The 10th. amendment to the Constitution of The United States grants to the states the right to make educational decisions. While the state legislatures in many instances have retained a degree of this authority by legislating an education code, most have delegated some of this authority to local boards who in turn have delegated certain powers to teachers and school administrators. This differs from most countries in that some - for example: Scotland delegate most of the authority to local schools and teachers; while others such as the African nations centralize decision-making in the ministry. Although the diffusion of authority in this country is a potential strength, there is a need for clarification of who should make what curricular decisions at various identifiable levels in the system. These have been identified by Goodlad as Societal, Institutional, and Instructional. The Instructional Level is defined as the one closest to the learner. The role of the legislature in curricular decision-making is of particular concern.

The responsibility of making educational decisions is distributed among a number of groups throughout the educational structure. Education decisions are made by state departments of education, school boards, superintendents, principals, and teachers. This diffusion of authority and responsibility is complicated by the fact that there are no clear and generally accepted guidelines as to who should make various educational decisions.

This problem apears to be having increased political significance because of the current thrust toward decentralization accompanied by increased concern that teachers and other be held accountable for pupils' learning. Presumably, teachers are free to make certain instructional decisions within a guiding framework that includes the education code. Legislators see it as their responsibility to revise the education code from time to time through bills enacted into law. Presumably, these bills and subsequent changes in the code affect and give direction to certain decisions which teachers must make. Clearly, these legislators' acts affect decision-making in education only if those responsible for decisions are aware of and understand the legislation.

California leads the nation in the amount of curriculum legislation on the books. The 1970 session of the California Legislature passed no fewer than 170 bills on education. Much of this legislation applies to curriculum decisions teachers make. The California Education Code specifies objectives, learning opportunities, curriculum organization, and evaluation. The effectiveness of these laws requires knowledge of them on the part of those who make educational decisions---teachers, superintendents, principals, board members, and legislators. Knowledge of curriculum legislation is required for effective curriculum decision-making. The author assumes that certain instructional-level decisions about which laws have been passed should be guided by knowledge of the legislation affecting that

instruction. However, these decisions can be made without such data. Every day teachers make instructional-level decisions that could be influenced by curriculum legislation. If teachers make these decisions without knowledge of the appropriate code item, they may be unwittingly violating state laws. Too, the legislature may be busily passing legislation about which the educational decision-makers know nothing.

In 1971, the author conducted a study designed to gain an understanding of what selected individuals involved in education in California knew about legislation which is designed to influence curriculum decisions that teachers make. The study used as a framework the conceptualization of curriculum decision-making formulated by John I. Goodlad. The study was of practical significance in that it provided information about the effectiveness of communication of knowledge; substantive in that it provided information about groups of educational decision-makers; and contextual in that it contributed data helpful in determining who should make what curricular decisions.

For this study a questionnaire was prepared and administered to 320 teachers, 14 superintendents, 30 board members in 21 school districts and to all members of the California Legislature. The instrument used to collect data was composed of twenty-two items keyed to sections of the California Education Code as they were designed to effect the curriculum decisions that teachers make. Two

judges validated the selection of code items used, and three judges determined the content validity of the instrument. The questionnaire was designed to ellicit answers to questions on the respondents' knowledge of legislation designed to affect curriculum decisions teachers make. The instrument consisted of two parts: one on legislation in effect in 1970-71; the other on legislation passed before 1970.

The responses to both sections of the questionnaire indicated that none of the four groups of decision-makers possessed adequate knowledge of legislation which was designed to affect curriculum decisions that teachers make. Superintendents were the most knowledgeable, but there appeared to be a complete breakdown in the system of communicating legislative information to the teacher. The accompanying table ranks the four groups in the study by their knowledge of present legislation. Out of a possible score of 11, superintendents ranked first with a mean score of 6.4 and teachers last with a mean of 3.6. Legislators ranked second with a mean score of 4.2 and board members third with a mean of 3.9. In this study, superintendents were the most knowledgeable of present legislation on instruction; there was little difference among the other three groups.

Because the study shows that teachers lack knowledge of legislation designed to influence their curricular decisions, it can reasonably be assumed that such legis-

Table 1. Knowledge of Present Legislation

Population	Rank	Mean Score
Superintendents	1	6.4
Legislators	2	4.2
Board Members	3	3.9
Teachers	4	3.6

lation cannot be restrictive; therefore, true decentralization does exist as a result of default on the part of superordinates or ignorance on the part of the teachers. However, such decentralization is illegal, for the legislature by passing laws in any area of educational decision-making assumes for itself the authority vested in the states; thus pre-empting the right of any agency subordinate to the legislature to make such decisions. If a teacher is making curricular decisions without legislative knowledge, it can be reasonably argued that curriculum legislation does not pre-empt teacher accountability. It has been the position of many in the field of curriculum study that teachers should be held accountable only for those curricular decisions that teachers should make. It is the position of this article that limited knowledge on the part of teachers of legislation designed to affect their curriculum decisions indicates that the legislation does not make any significant impact on their instructional decisions. The teacher simply makes such decisions as if the legislation does not exist. However, his curricular decision-making may be influenced by such legislation as he does know (as evidenced by a mean score of 7.0 for all teacher re ndents as measured by the instrument.) It is agreed that teachers should be held accountable for instructional-level decisions. However, teachers' accountability is brought into question because of curriculum legislation which impinges on his freedom to make decisions. The teacher in addition is accountable whether he knows the

law or not. The problem is that the legislature has engaged in inappropriate activity by making instructional-level decisions rather than societal-level decisions. Therefore, what should the teacher be held accountable for---decisions he is left free to make, those impinged upon by legislative action, or both?

It is the contention of the Goodlad Conceptual System that instructional-level decisions should be made by the teacher. Data gained from this study show that the legislature, by the sheer force of the number of code items it has passed affecting teachers' curricular decisions (64 from 1968 to 1970) has attempted to wrest this responsibility from the teacher. The teachers, as evidenced by their lack of knowledge of such legislation, have not surrendered all their curricular decision-making responsibility to the legislature. Ironically, much of teachers' freedom to make decisions, which probably should be theirs to make, is preserved because of their ignorance of the law. Defacto decentralization in regard to instructional decisions appears to exist. Although this decentralization exists, the basis for its existence raises serious questions about how to implement current proposals regarding teacher accountability.

The legislature is the major societal body in the states of the United States. As such, it should bear the major responsibility for making and disseminating societal level decisions. Using the Goodlad Conceptual System as

a guide, the legislature should make value decisions - what is good or bad. The legislature should decide such things as: Do we teach children to share or to compete? Do we teach the evils of tobacco, whiskey and/or marijuana? Do we prepare our high school graduates for a vocation?

These and other similar questions should be answered only after careful study of questionnaires gathered from a random sampling of the populace and with the advice of those in funded knowledge.

The legislature should see that its value judgments are disseminated to and followed by each and every teacher in the state's school systems.

Local boards will interpret the values disseminated by the legislature according to local needs. The school system instructional staff will develop a curriculum for all the children in the district based on these value decisions. Individual teachers will make instructional decisions based on the needs of the individual child.

The teacher has no right to make value decisions. Nor should the legislature make instructional decisions. If the legislature would busy itself with making value decisions and leave instructional decisions to the teacher, the schooling of children would improve.

Teachers, either through ignorance of the law or wilful disobedience, are not following the wishes of the legislature.

This writer believes there is a great weakness in a system of education where the responsibility for making

societal level decisions is not clearly spelled out. As it is, the legislature interferes with teacher responsibility by making instructional level decisions and the teacher thwarts the wishes of society by making societal-level decisions.

In summary, there is much confusion on the part of all educational decision-makers about curriculum legislation. It is the responsibility of state legislators to make the entire decision-amking process more rational. This can be done by the legislature passing a more simplified education code based on societal level decisions, assuming the responsibility for the dissimination of information regarding the code, and insisting decision-makers abide by the code.

R E F E R E N C E S

1. John I. Goodlad, with Maurice N. Richter, Jr. The Development of a Conceptual System for Dealing With Problems of Curriculum and Instruction. A report of an inquiry supported by the Cooperative Research Program at the Office of Education, U. S. Department of Health, Education and Welfare, 1966.

2. Henry W. Hill, "Curriculum Legislation and Decision-Making for the Instructional Level," an unpublished dissertation, University of California, Los Angeles, 1971.